

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT LEE MURRAY,
Plaintiff,
-against-
CITY OF NEW YORK et al.,
Defendants.

Case No. 1:24-cv-04918 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

On June 20, 2024, *pro se* Plaintiff Robert Lee Murray brought this action under 42 U.S.C. § 1983, against the City of New York and various unnamed correction officers, captains, and deputies (collectively, the “City”), challenging the constitutionality of the conditions of his confinement. *See generally* Dkt. 1. On July 18, 2024, the Court granted Plaintiff’s application to proceed *in forma pauperis* (IFP) without prepayment of fees. Dkt. 5. On July 22, 2024, the case was reassigned to the undersigned.

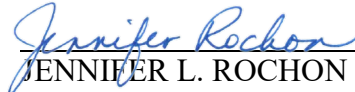
On October 7, 2024, the Court stayed this case pending determination of the City’s anticipated motion to revoke Plaintiff’s IFP status, Dkt. 16, which was filed on November 4, 2024, Dkt. 19. On December 10, 2024, Plaintiff filed the requisite initial filing fee, “effectively volunteer[ing] to give up IFP status.” *Jackson v. Stack*, No. 16-cv-1041A, 2018 WL 6068176, at *3 (W.D.N.Y. Nov. 20, 2018), *report and recommendation adopted*, 2019 WL 1261176 (W.D.N.Y. Mar. 19, 2019). “Consequently, the Court going forward will regard [Plaintiff] as no longer in IFP status by his own accord.” *Id.* (denying defendant’s motion to revoke IFP status without prejudice as moot after plaintiff paid initial filing fees).

Accordingly, the City’s motion to revoke Plaintiff’s IFP status is DENIED as moot without prejudice. The Court will set an initial pre-trial conference by separate order.

The Clerk of Court is respectfully directed to terminate the motion at Dkt. 19, lift the stay, and mail this Order to Plaintiff and his agent at the addresses supplied herein.

Dated: December 16, 2024
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge

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